

BROWNSTEIN THOMAS, LLP  
MARK C. THOMAS SBN: 215580  
180 Montgomery Street, Suite 940  
San Francisco, CA 94104  
415-986-1338  
415-986-1231 facsimile

Attorneys for Plaintiff  
Wayne Lum

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

WAYNE LUM, an individual,

Plaintiff,

vs.

SCITOR CORPORATION, a Delaware  
Corporation, and DOES 1-50,

Defendants.

Case No.: C 09-5828 (JF)

**DECLARATION OF WAYNE LUM IN  
OPPOSITION TO DEFENDANT'S  
MOTION TO CHANGE VENUE**

Date: March 26, 2010

Time: 9:00 am

Dept.: Courtroom 3, 5<sup>th</sup> Floor

Judge: Hon. Jeremy Fogel

I, Wayne Lum, declare as follows:

1. I am Wayne Lum the Plaintiff in this action. I have personal knowledge of the following facts and if called as a witness herein, I could and would testify competently thereto under oath.

2. I was born and raised in California. I have lived and worked in California my entire life. In 1988, I was hired by Scitor to work in its Sunnyvale, California office. I worked for Scitor in Sunnyvale, California from 1988 until I was terminated in 2009.

3. Scitor is a large corporation with offices across the country, including: Herndon, Virginia; Colorado Springs, Colorado; Aurora, Colorado; Omaha, Nebraska; Cape Canaveral, Florida; Los Angeles, California; Santa Maria, California; and Sunnyvale, California.

1           4.       I worked as an IT Manager for Scitor. A small portion of my job duties at Scitor  
2 required a government security clearance. I had a security clearance from 1983 until 2009. The  
3 government required me to take a polygraph test to renew his security clearance. I suffer from  
4 anxiety. In 2009, my anxiety prevented me from taking the polygraph.

5           5.       I notified Scitor of my disability and that I would seek treatment. I was treated by  
6 Pauline Wan, a therapist in San Francisco. Ms. Wan would be able to testify about my anxiety  
7 condition and the treatment she provided.

8           6.       When I did not take the polygraph, the government revoked my security  
9 clearance. Scitor never talked to me about any possible accommodations for my disability.  
10 Instead, Scitor terminated my employment.

11          7.       Terry McKinney was the security manager at Scitor's Sunnyvale office until he  
12 retired in January 2009. Mr. McKinney would be able to testify about the government's security  
13 measures at the Sunnyvale office. This evidence will be relevant to show how my job duties  
14 could have been restructured to accommodate my disability. Mr. McKinney informed me that he  
15 would travel to the Northern District to testify for this case.

16          8.       While at Scitor I worked with the following people: Mike Gutto, Lisa Wilderink,  
17 Christopher Reinking, Erwin Yuen, Lisa Robinson, Laura Richardson, Renayda De La Rosa,  
18 Robert Shamshoian, Sharon Robles, Mel Hanson, Phil Rolander, Lorrie Coon, and Steve  
19 Damozonio. Although I have not spoken to any of these witnesses about their potential  
20 testimony, I believe that they will be able to testify about my job duties and the government  
21 security measures implemented in Scitor's Sunnyvale Office. This evidence will be relevant to  
22 show how my job duties could have been restructured to accommodate my disability.

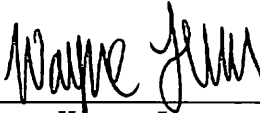
23          9.       I currently live in the Northern District of California. I have not been able to find  
24 another job since my termination from Scitor. If this case was transferred to Virginia it would be  
25 extremely difficult for me to pursue this action.

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1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct. Executed this 5<sup>th</sup> day of March 2010.

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